

**MINUTES OF A REGULAR MEETING
OF THE
BOARD OF TRUSTEES
OF THE
TOWN OF BUENA VISTA, COLORADO
APRIL 13, 2010**

WORK SESSION

A Work Session convened at 6:05 PM on Tuesday, April 13, 2010, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado. Present were Mayor Cara Russell, Trustees Robert Flint, Keith Baker, Duff Lacy, Joel Benson, Town Administrator Sue Boyd, Town Attorney Jeff Parker, Town Planner Shannon Haydin and Town Clerk Diane Spomer to discuss Medical Marijuana Dispensaries. Trustees Mitchell and Nyberg were absent.

Sue Boyd noted a draft ordinance was presented for discussion based upon previous discussions which are also a compilation of four ordinances previously presented for consideration; in order to do a total ban an election is require. Attorney Jeff Parker noted a recent provision that will allow for a moratorium until the Dept. Of Revenue has an approved statute.

A lengthy discussion followed on the moratorium is currently in place until May 9, 2010; we should have more information by mid-May from the Legislature; definition of "narcotics" and if marijuana is defined as a narcotic; specifics of the draft ordinance included limiting dispensaries to 1000 feet of specific zoning; dispensaries that sell marijuana but do not allow "on site consumption". Chief Tidwell presented the following for consideration: good security cuts down on some problems; the Front Range has had a lot of problems while rural areas have not yet.

Discussion continued on having the buildings internally lit so law enforcement can see the interior more clearly; the ordinance allows for "on site cultivation" which eliminates transporting and limits 2 oz. per patient or 6 plants; a flow chart for the permitting process was reviewed; why will the permits go through the Administrator and not the Trustees; prior convictions on a felony charge noted in Sec. 6-55 (e); allowing the public to review the draft ordinance before adoption and providing a copy to the newspaper. The Work session concluded at 6:53 PM.

CALL TO ORDER

A Regular meeting of the Board of Trustees was called to order at 7:04 PM on Tuesday, April 13, 2010, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Mayor Cara Russell. Present were Trustees Duff Lacy, Norm Nyberg, Joel Benson, Brett Mitchell, Robert Flint, Keith Baker, Town Administrator Sue Boyd, Town Attorney Jeff Parker, Town Planner Shannon Haydin, Police Chief Jimmy Tidwell, Public Works Director Roy Gertson, Town Engineer Rachel Friedman, Town Treasurer Christine DeChristopher and Town Clerk Diane Spomer.

ROLL CALL

Town Clerk Spomer proceeded with the roll call and declared a quorum.

PLEDGE OF ALLEGIANCE

Mayor Russell led in the Pledge of Allegiance.

PROCLAMATION – "SEXUAL ASSAULT AWARENESS MONTH"

Mayor Russell read the Proclamation into the record.

AGENDA ADOPTION

Trustee Benson requested moving the discussion about River Park Road to Old Business as Item G (2). Mayor Russell asked that the Police Department report be placed as Item E under Consent Agenda. Trustee Benson expressed he will work with Shannon on the Comp. Plan Implementation Report.

Motion #1 by Trustee Flint, seconded by Trustee Benson, to adopt the agenda as amended. Motion carried.

CONSENT AGENDA

- A. **Minutes**
 - 1. Regular Meeting – March 23, 2010
- B. **Advisory Board Minutes**
 - 1. Buena Vista Tree Board
 - 2. Beautification Advisory Board
 - 3. Trails Advisory Board
- C. **Street Closure Request**

Should the Board approve a request from the Buena Vista Optimist Club to close Cedar Street on May 1 from 5AM – 6:30PM for the annual Collegiate Peaks Trail Run?
- D. **Should the Board approve adoption of Resolution #37, Series 2010, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A MEMORANDUM OF AGREEMENT DESIGNATING THE CITY OF SALIDA AND TOWN OF BUENA VISTA AS REGISTRARS OF VITAL STATISTICS FOR CHAFFEE COUNTY"?**
- E. **POLICE DEPARTMENT/CALL REPORT/MUNICIPAL COURT**

Trustee Benson noted on page 20, Motion #3 we should add the answer is "we do not need to see it". Mayor Russell asked about the Memorandum of agreement and asked about the collection of funds. Town Clerk Spomer noted that the Town has been collecting fees for the death certificates at a rate of \$17 for the first copy and \$10 for each additional and this memorandum is just to memorialize what Buena Vista and Salida have been doing for many years.

Motion #2 by Trustee Flint, seconded by Trustee Nyberg, to approve the Consent Agenda as amended. Motion carried.

PUBLIC COMMENT

Robin Dailey asked that his comments be held to item E under Old Business
Cherie Haarberg, Tom Moore, Nick Dryzmala, Lynn Dryzmala, Bob Johnson and Gene Powell asked that their comments be held to the actual agenda item.

Elmer Olinger, 14980 CR 350, expressed his appreciation for staff, the Trustees and Mayor and to all those who dedicated themselves to Buena Vista, stated he's glad to be a part of it and "thank you for making this happen".

RESONSE TO PUBLIC COMMENT

Mayor Russell thanked Elmer for his comments.

OLD BUSINESS

CONTINUATION OF PUBLIC HEARING – Should the Board approve adoption of Ordinance #8, Series 2010, entitled "AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO, AMENDING SECTION 18 ARTICLE VI FIRE CODE TO ADOPT THE PROVISIONS OF THE 2006 INTERNATIONAL FIRE CODE"?

Town Planner Haydin asked that the Hearing be continued, stated there are deviations from how we have done business in the past and staff wants to find out more about regulating and need to do further research for a thorough discussion.

Mayor Russell opened the public comment portion of the hearing at 7:13 PM with none received and closed the comment portion of the hearing.

Motion #3 by Trustee Benson, seconded by Trustee Mitchell, to continue the Public Hearing to April 27, 2010. Motion carried.

CONTINUATION OF PUBLIC HEARING – TO CONSIDER AN ORDINANCE ON REGULATING MEDICAL MARIJUANA DISPENSARIES IN THE TOWN OF BUENA VISTA.

Mayor Russell opened the public comment portion of the hearing at 7:14 PM.

Daniel Hamme, 29383 CR 358, reviewed the paperwork that was distributed earlier tonight, stated he wrote a letter for the last meeting; knows the Trustees want to do the right things for the Town and community; if we postpone to 2011 we have taken the stance that people can wait. Daniel expressed that those who elected the Board need a quality of life and don't want to wait; a lot of people he has talked to can really use this option; the State is making a lot of progress on the detail; felt distance restrictions send a negative message and encouraged the Trustees to look at other municipalities and what problems they are having as well as Breckenridge; addressed issues with young adults that may break in and steal and kids break in to any business and that is a problem; asked the Trustees to be responsible for locating the businesses and to not create a stigma.

With no other comments received, Mayor Russell closed the comment portion of the hearing at 7:19 PM.

Discussion followed on possible locations; should this be an administrative decision or come before Council; change conviction standards under Sec. 6-55; allow in B2, B1, I1 and I2 zones and not within 500 feet of schools and licensed child care facilities; open up in industrial zones; add lighting or motion sensor under security; add posting the location for 10 days for comments; Chief Tidwell was desirous of having security like banks; limiting the number of dispensaries in Town; an example was presented of individuals who get their limit from one dispensary and then go to the next and the next (do a needs and desires or per capita); have Administrator review and then bring them before the Trustees but it changes the appeal process; adopt an ordinance April 27 to extend the moratorium to cover the timeframe between ordinances.

Motion #4 by Trustee Flint, seconded by Trustee Baker, to continue the Public Hearing to April 27, 2010. Motion carried. An ordinance will be prepared with the corrections and another one to extend the Moratorium.

CONTINUATION OF PUBLIC HEARING – Should the Board approve adoption of Ordinance #3, Series 2010, entitled “AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, REPEALING AND REENACTING ARTICLE VI OF CHAPTER 11 OF THE BUENA VISTA MUNICIPAL CODE REGARDING SPECIAL EVENTS”?

Town Planner Haydin noted the Special Event items are in Article VII and nothing else has changed from the previous version.

Mayor Russell opened the public comment portion of the hearing at 7:39 PM with none received and closed the comment portion of the hearing.

Discussion followed on the event being responsible for paying the costs for barricades-will be covered in the application; motor powered water craft and revisit the non-powered section (11-115 (a-b); 11-123 (b) add "or by making other reasonable modifications to the event"; 11-125 (4) is an example of discretionary requirements.

Motion #5 by Trustee Baker, seconded by Trustee Flint, to approve Ordinance #3, Series 2010, as amended in Section 11-123 (b). Motion carried.

Should the Board approve adoption of Resolution #38, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING AN ENTRY AND TESTING AGREEMENT WITH ALLTEL COMMUNICATIONS FOR PLACEMENT OF A CELL TOWER ON TOWN PROPERTY**"?

Planner Shannon Haydin presented slides of the proposed site with a typical tower for entry into the area to find out feasibility. Jeremy, Alltel representative, noted an elevation view of what they proposed (one pole with two antennas); the agreement authorizes them to do an investigation and then we can negotiate with them for a lease agreement for it to be on Town property; the proposal is taller than zoning requirements and will require a variance; this is in an industrial area and outside the airport overlay.

Motion #6 by Trustee Flint, seconded by Trustee Mitchell, to approve Resolution #38, Series 2010.

A recess was taken from 7:54 PM to 8:00 PM.

Should the Board approve adoption of Resolution #39, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, ADOPTING RECOMMENDATIONS OF THE AIRPORT COMMISSION**"?

Jerry Steinauer, Airport Commission member, noted the document spells out what they have decided and the resolution gives a brief synopsis of their recommendation and solicited questions from Council.

Discussion held on the major recommendations: authorizing the Administrator to eliminate permanent staff positions, temporary staff positions and release an RFP for an FBO; option #4 on page 102 was preferred.

Carrie Carey visited the airport over the weekend and talked to the pilots who have a "trust issue" with handing over keys to anyone but Bob Johnson, felt we could save \$3000 for staff payroll by keeping Bob full time during the winter and back the airport with sufficient staffing.

Discussion continued on the Town budgeted \$190,000 into the airport and getting it to a sustainable level; Commission looked at staffing, landings, budget and worked with individuals who are at the airport for many years and the need to get to "bare bones" to keep it going and to move it to the asset side; curtail excess spending or go out of the airport business; find an FBO and work with them on how much of a subsidy will be needed.

Mayor Russell took comments from those who signed up to speak.

Cherie Haarberg, 15720 CR 306, presented the Airport Advisory Board comments and read them into the record. The comments were in favor of most of the recommendations but were opposed to four temporary positions and wanted the continued staffing through August unless an FBO could be utilized before that time.

Tom Moore, 13931 Maxwell Vista Drive, a volunteer for aircraft and pilots association, circulated a statement of support for the successful future of CCRA who requested support of the recommendations from the Airport Commission; felt there has been misrepresentation and a misinterpretation of FAA rules from Bob Johnson; felt the serious financial condition was due to Bob's actions; stated the airport cannot be successful as long as Bob holds any staffing at the airport; noted the statement of support was signed by 25 pilots, 23 concerned citizens and 9 business owners. Tom provided a copy to the Town Clerk.

Nick and Lynn Dryzmala allotted their time to Bob Johnson.

Bob Johnson, 16177 CR 350, handed out letters of endorsement from businesses that do business at the airfield, along with a newspaper article outlining a federal program to conceal flights on private aircraft from the public. Bob expressed that the Council's recommendations could seal the upcoming fate of the airport; felt the airport is a transient airport and available service has been made and will continue to be made for success; they are serving major corporations, are the largest airport in the area and need county funding; continuity of customer support is necessary for success; a NOAA weather station is coming soon; presented statistics in sales and tax revenue for the Town; if we make the change in staff we will "drive the customers away"; asked Council not to rush into a decision coming in to the busy season.

Gene Powell, 16905 CR 362, asked why there is so much support for the Airport Commission recommendations; wasn't aware of a lot of changes being made with the Airport Board recommendations; wouldn't encourage anyone to fly into our airport and wished Council well in solving the problems.

Robin Dailey, CR 301A, addressed item #3 in the Resolution for an RFP for a FBO; noted a group formed Blue Whole Aviation that prepared a draft Airport Management Agreement and asked for Council's consideration of their proposal to run the airport as the FBO.

Mayor Russell noted the Commission is not rushing into anything and have taken an inordinate amount of time in making a decision; they want to keep the airport running but feel the recommendations make sense for our time; with the financial condition and statement of our nation's economy the Commission recommended adoption of Resolution #39.

Discussion followed on stopping the bleeding; the decision on staffing should not be about personalities; meals and hotel rooms will not go away with the changes being proposed; a job description has not yet been written; change the last Whereas Clause to read ".....implement recommendations of the Airport Commission as set forth in this resolution" and having a conversation about the remaining recommendations at another time; extending the appointment of Airport Commission members - a draft was presented and be added to the April 27 agenda.

Motion #7 by Trustee Mitchell, seconded by Trustee Nyberg, to approve Resolution #39, Series 2010, with amendments as noted. Motion carried. Trustee Lacy voted against.

A recess was taken from 9:00 PM to 9:10 PM.

PUBLIC HEARING – Should the Board approve adoption of Ordinance #9, Series 2010, entitled **"AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO AMENDING CHAPTER 13 OF THE BUENA VISTA MUNICIPAL CODE GOVERNING WATER CONNECTION PERMITS AND PAYMENT OF FEES (SIDF)"**?

Town Engineer Friedman noted S. Main had a proposal for a community garden and a system development fee was discussed; our code says you can't get a new tap without having a building permit or excavation permit and noted specifics of the ordinance.

Mayor Russell opened the public comment portion of the hearing at 9:14 PM with none received and closed the comment portion of the hearing.

Motion #8 by Trustee Benson, seconded by Trustee Mitchell, to approve Ordinance #9. Motion carried.

Should the Board approve adoption of Resolution #40, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, ESTABLISHING FEES, RATES AND CHARGES FOR WATER SERVICE AND CONNECTION PERMITS ASSOCIATED WITH THE BUENA VISTA MUNICIPAL WATER SYSTEM**"?

Town Engineer Friedman noted the proposal for a 5/8" meter at a cost of \$3333; S. Main will only have 600 SF for the community garden and our smallest meter tap is 3/4" for \$5000 which is excessive for this small area.

Discussion followed on calculation of water flow within a year's time; comparing peak demands for the services and that is applied to a system development fee.

Motion #9 by Trustee Mitchell, seconded by Trustee Baker, to approve Resolution #40, Series 2010. Motion carried. Discussion followed on who will pay for the fee. Katie Urbine, 1000 Wave Street, thanked Council and noted they do not plan to ask the Town to cover the cost.

DISCUSSION OF RIVER PARK ROAD

Administrator Sue Boyd noted complaints were received from the community on this road that is not a road; the recommendation was from engineering and a construction perspective to close the road and put up construction signs; the Development Agreement and SIA contemplate a ROW for future construction of a road (River Park Road); staff and Jeff Parker have read the documents and determined that there is nothing obligating the developer to construct the road at this time; it is a problem to get into S Main from River Park Road; staff met with Jed Selby and JJ about possibilities on how the Town can work with him to get this done; staff recommended the best course of action was to close the ROW as a road. Shannon Haydin added that the agreement says the phases are not going to be done in chronological order; spoke with Jed and we will ask at Phase II to complete the entire road, it does not solve the problem today but people have made their way through to get to S Main. Jeff Parker added that the SIA governs Phase II and says they shall complete the following roads as put in the phasing plan – the phasing plan shows it ends and the unimproved road continues on.

Discussion followed on doing whatever we can to make everyone happy and maintain the road; the road behind Tabor Street is not a road but is maintained by the Town; placing barricades on both ends of the road; cost of at least \$7000 to bring it up to the right grade and maintain it.

Katie Urbine noted they can grade the road now but cannot pave it; if they maintain it, it will be on-going liability and didn't know the cost.

Discussion continued on a buyer is trying to get the developer to fix the road and it is in discussions with both attorneys; find a way to protect manhole covers and maintain the road with signs being put up saying it is not a main road and S Main should maintain as frequently as needed to keep their subdivision accessible was Council's consensus.

SPECIAL PRESENTATION

Mayor Russell and Trustee Flint presented plaques to Trustees Benson and Mitchell for their years of service and thanked them for their time and service to the Town.

A recess was taken from 9:49 PM to 9:55 PM

NEW BUSINESS
OATH OF OFFICE

Town Clerk Spomer administered the Oath of Office.

PUBLIC HEARING – TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A TOURIST ACCOMMODATION IN A PRIVATE RESIDENCE INCLUSIVE OF A BED & BREAKFAST, MILLY AUSTIN APPLICANT

Town Planner Haydin noted this item has not been heard by P&Z and should be continued to the April 27 meeting.

Mayor Russell opened the public comment portion of the hearing at 9:58 PM with none received and closed the comment portion of the hearing.

- Should the Board approve adoption of Resolution #41, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, APPROVING A SPECIAL USE PERMIT TO ALLOW A TOURIST ACCOMMODATION IN A PRIVATE RESIDENCE LOCATED AT 344 WATERS AVENUE**"?

Motion #10 by Trustee Flint, seconded by Trustee Baker, to continue the Public Hearing to April 27, 2010. Motion carried.

PUBLIC HEARING – TO CONSIDER A REQUEST FOR A MINOR SUBDIVISION TO DIVIDE PROPERTY INTO TWO LOTS, EDWARD PLUM APPLICANT

Town Planner Haydin outlined the request to split a single lot into two lots located on North Sangre De Cristo; the house was built in the 1940s and has mature landscaping; the land use is single family residential with adjoining property that is single family residential and the cabins across the street are pre-existing non-conforming; the surrounding zoning is R1; access to both lots is by a shared driveway on Sangre De Cristo across lot 2; no drainage plan is required but there is an existing drainage ditch; lot 1 is served with water and sewer and at the time of building permit water and sewer will be required on the new lot. Shannon stated they asked the applicant to identify which trees would be removed to allow for access to lot 2; a flood plain exists on the property and will need mitigation. Shannon presented slides outlining the flood plain area and the specific site; the house was constructed prior to flood plain and noted the conditions of approval by P&Z: location of driveway be shown on final plat and that has been changed to say the driveway is shared for lots 1 and 2; fees will need to be paid prior to final plat; the condition for the trees was not discussed.

Discussion held on \$300 per tree is the correct amount; open space parks and trails should be reflected in recommendation #2 in lieu of parkland dedication fee.

Mayor Russell opened the public comment portion of the hearing at 10:06 PM with none received and closed the comment portion of the hearing.

- Should the Board approve adoption of Resolution #42, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, GRANTING FINAL APPROVAL OF THE PLUM MINOR SUBDIVISION, AN UNPLATTED PARCEL LOCATED IN A PART OF THE SW¼ OF THE SW¼ OF SECTION 8, AND PART OF THE NW ¼ OF THE NW¼ OF SECTION 17, TOWNSHIP 14 SOUTH, RANGE 78 WEST OF THE 6TH P.M., BUENA VISTA, CHAFFEE COUNTY, COLORADO**"?

Discussion held on the fee for trees is correct in the resolution; parkland dedication fee in lieu should be "a fee of \$156 in lieu of open space parks be paid"; protect trees on the property and change c) to "a note be added requiring protection of the trees not in the shared driveway" but Mr. Plum did not feel the trees need to be removed; a change of "a note be added to prohibit removal of trees for construction of new access to lot 2".

Motion #11 by Trustee Baker, seconded by Trustee Flint, to approve Resolution #42 as amended.
Motion carried.

PUBLIC HEARING – Should the Board approve adoption of Ordinance #10, Series 2010, entitled "AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, DECLARING A TEMPORARY MORATORIUM ON THE USE OF PROPERTY LOCATED WITHIN THE TOWN FOR ADULT BUSINESSES PENDING ADOPTION OF APPROPRIATE ZONING AND LICENSING REGULATIONS"?

Shannon Haydin noted this ordinance was precipitated by an inquiry that was made and the Town does not prohibit them. Attorney Parker noted the First Amendment Declaration of Speech and you cannot ban it, but the Town can discuss where an appropriate location would be.

Mayor Russell opened the public comment portion of the hearing at 10:12 PM with none received and closed the public comment portion of the hearing.

Discussions continued on doing a moratorium and investigate/research and have another hearing in a month or two.

Motion #12 by Trustee Flint, seconded by Trustee Baker, to approve Ordinance #10, Series 2010.
Motion carried.

Should the Board approve adoption of Resolution #43, Series 2010, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AUTHORIZING AND APPROVING A LICENSE AGREEMENT FOR THE PLACEMENT OF A FENCE ON TOWN PROPERTY ADJACENT TO 202 SOUTH COLORADO AVENUE"?

Town Planner Haydin noted when the building permit came in we discovered the fence was on a ROW which requires a License Agreement; if we do work in the ROW the owner will have to move the fence; asked Council if they want to do agreements as they come in or research where all of them are.

Discussion followed on why we are "policing" where they all are; address each one as they come forward.

Motion #13 by Trustee Nyberg, seconded by Trustee Flint, to approve Resolution #43. Motion carried.
Trustee Steinauer voted against. Staff was directed to address adjoining properties.

Should the Board approve adoption of Resolution #44, Series 2010, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AWARDED THE BID AND APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE TOWN OF BUENA VISTA AND PELINO EXCAVATING FOR THE FIRE HYDRANT REPLACEMENT PROJECT"?

Roy Gertson noted the Town advertised and budgeted \$40,000 to replace 10 hydrants this year with 30 more to replace that are 1965 vintage, this is our third year of replacement; the Town received six bids; Pelino was the lowest bid and received the contract last year and recommended awarding the bid to Pelino Excavating.

Discussion followed on the work Pelino performed last year (there were complications last year near Jan's Restaurant); hydrant parts are a problem after they get older and staff is trying to upgrade the technology.

Motion #14 by Trustee Flint, seconded by Trustee Nyberg, to approve Resolution #44, Series 2010. Roll call vote: Baker-aye, Lacy-aye, Steinauer-aye, Nyberg-aye, Flint-aye, Carey-aye. Motion carried.

Should the Board approve adoption of Resolution #45, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AWARDED THE BID AND APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE TOWN OF BUENA VISTA AND Y & K EXCAVATING FOR THE E. MAIN STREET SIDEWALK PROJECT**"?

Public Works Director Gertson noted this was a timely project to be done Mid May; some sidewalks are cracked; there are 22 different sections on E Main and some on Cottonwood Avenue; N. & S. Colorado will get a new sidewalk also; some drainage improvements have been added; the drainage comes from the Capital Improvement Fund line item; Y & K was the low bid, checked references and recommended their award.

Discussion followed on scheduled completion will be prior to Paddle Fest; the Town will notify businesses that this will be happening; Y & K will work to minimize any inconvenience.

Motion #15 by Trustee Lacy, seconded by Trustee Nyberg, to approve Resolution #45, Series 2010. Roll call vote: Steinauer-aye, Baker-aye, Lacy-aye, Carey-aye, Flint-aye, Nyberg-aye. Motion carried. Christine noted this expenditure exceeds the budget by \$3000 and asked if it could come from somewhere else in the Capital Fund or a future budget amendment. Roy noted there are other drainage projects being worked on this year and explained how the total funds do not exceed budget.

Should the Board approve adoption of Resolution #46, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AWARDED THE BID AND APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE TOWN OF BUENA VISTA AND WILLIS LANDSCAPING FOR THE REPLACEMENT OF THE SPRINKLER SYSTEM IN FOREST SQUARE PARK**"?

Roy Gertson advised that this project is to be completed before irrigation season starts (end of May); the existing system is over 20 years old and is failing due to tree roots; the Town can get a longer lifespan out of the PVC pipe; staff checked references for Willis Landscaping and recommended awarding the bid.

Motion #16 by Trustee Flint, seconded by Trustee Lacy, to approve Resolution #46, Series 2010. Roll call vote: Baker-aye, Lacy-aye, Steinauer-aye, Carey-aye, Nyberg-aye, Flint-aye. Motion carried.

Should the Board approve adoption of Resolution #47, Series 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO, AUTHORIZING AN INCREASE IN THE EMERGENCY TELEPHONE CHARGE AND APPROVING CERTAIN AMENDMENTS TO THE INTERGOVERNMENTAL AGREEMENT DATED AUGUST 15, 2006 CONCERNING THE IMPLEMENTATION OF AN E 9-1-1 EMERGENCY TELEPHONE SERVICE**"?

Sue Boyd noted the other jurisdictions have approved this item and it will go to the PUC for final approval; this request is for a surcharge of \$1.25 per month and the Town pays the fee as a customer.

Discussion held on the cost to the Town – we are not making a direct contribution but paying a surcharge that pays for a portion of operating a 911 Emergency Operation Center and is governed by State Statute; a portion of the E911 operation is covered by this E911 piece but is not the entire budget; Chaffee County is experiencing increased call volumes which drives the cost up; more people are moving here which requires a more sophisticated system; all the jurisdictions have to approve the charge; Section 4 on

administrative costs is 13.56% and a fee is not currently budgeted; the County is coming back to the jurisdictions saying it is costly for the County to manage; if PILT funds go away it creates a "hole" in funding; the fee is added to cell phones and VoIP.

Motion #17 by Trustee Lacy, seconded by Trustee Flint, to approve Resolution #47, Series 2010. Roll call vote: Flint-aye, Carey-aye, Baker-aye, Steinauer-aye, Lacy-aye, Nyberg-aye. Motion carried.

STAFF REPORTS

TOWN ADMINISTRATOR

Administrator Boyd had the following items to cover:

- A larger proposal will be coming to the Board regarding the water system development fee.
- A rafting company noted trouble finding affordable housing for their employees and wants to talk to the Town about camping in an Industrial Zone and we have not evaluated it yet.
- I have been out of commission the last few weeks due to surgery.
- Mayor Russell asked about the webinar on Brownsfield grants. Sue and Shannon stated they are working with the Brownsfield Foundation and learned there is no tie between Shell Oil and the station at the corner; we feel we should proceed with the strategy but Shell being "part of the mix" is gone.

AIRPORT MANAGEMENT

Administrator Boyd had the following items to cover:

- The terminal renovation is proceeding and getting close to completion, the elevator will delay the completion to mid May.
- Volunteers have worked long and hard to get the system up and running for weather data; the new maintenance contract for AWOS is allowing data to be uploaded into the FAA weather system. The airport was asked to be involved with a new weather system and a presentation will be on the next agenda.
- A resolution to allow Airport Commission members to continue work will be on the next meeting agenda.
- Questions were raised by the Airport Board on the airport layout plan; Aviation has offered to come back at no charge the week of April 19; we would like the Airport Commission and Airport Board to be present to look at the current layout and may need some updates.
- Mayor Russell asked if the Airport Board wants to do an open house. Sue stated no date has been set but they want to as soon as renovations are complete.
- Trustee Baker asked about progress on codifications of the rules. Sue noted it is a draft and was in surgery when they were to review it and will be coming in May. Jeff Parker noted since it is being adopted by reference, a notice of the upcoming hearing must be approved by the Board.

TOWN TREASURER

- The leave information is provided as Attachment D and provided an explanation of the spreadsheet. Discussion followed on sick leave policy.
- Credit card charges were provided. Trustee Baker asked if the Mayor had sent a memo to the employees. Cara will prepare one. Trustee Baker asked about domain registration fees. Christine advised we paid the fee for this year.
- Police Chief Tidwell advised they offered two positions to Police Officers and they have both accepted and will start next week. Trustee Nyberg noted we have to discuss officers taking patrol cars home in light of gas prices. This item will be agendaized "Town policy regarding patrol cars and where they live". The current policy is 20 minutes response time and also applies to Public Works.
- Trustee Baker noted the sales tax increase was approved but the bond was not and asked about implications. Christine stated we can come back for bonds at another time; we need to work on prioritizing the projects, put together a plan, get public input, if there are big projects we need to have discussions on costs and what it will take to complete the work. Discussion followed on the bond question can be placed on the November ballot but we won't have specific cost figures and with the County-wide Sales Tax issue it will be a hard sell; a separate fund will be put in the Capital Improvement Fund for these funds; do we spend money as we get the funds on little projects or save it for larger ones.

- Sales tax information was presented

PUBLIC WORKS DEPARTMENT

- Mayor Russell asked about the policy on street sweeping. Roy advised that once winter sand is picked up we sweep almost every day until we get caught up and then it will be once a week on Main Street and then each quadrant during the summer.
- Cara asked about the status of the tree sculpture. Christine stated the RFP is ready and waiting for comments from staff and will be out by the end of the week.

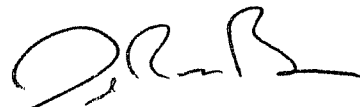
TRUSTEE/STAFF INTERACTION

- Mayor Russell asked about orientation for new Trustees and having staff present day-to-day duties; a number of reports and studies have been generated over the years and requested a list of them be distributed to Council so they are aware of them.
- Trustee Lacy asked Sue if she received the US Historical Climatology Network Modernization information and asked if a month was enough time to respond; Buena Vista was chosen out of 60 possible sites, they set up a weather taking deal and are proposing out at the airport and are asking for our approval. Sue stated an agreement has been provided and it needs to be reviewed by Jeff - the 27th of April will be within the timeline.

ADJOURNMENT

Motion #18 by Trustee Baker, seconded by Trustee Flint, noting that there being no further business to come before the Board declared that the meeting be adjourned at 11:16 PM. Motion carried.

Respectfully submitted:



 Mayor, Joel Benson



 Town Clerk, Diane Spomer